

AMENDED IN ASSEMBLY MAY 5, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1179

**Introduced by Assembly Member Parra
(Coauthor: Assembly Member Maze)**

February 21, 2003

An act to amend Section 6107 of the Government Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1179, as amended, Parra. Veterans: public records.

Existing law prohibits any public entity from charging any fee for recording, indexing, or issuing certified copies of specified documents related to service in the armed forces of the United States, including any public record required to apply for and receive benefits from the Veterans Administration or any other federal or state benefits. Existing law further requires that recording, indexing, or issuing certified copies of these documents be rendered on request of a United States official, a claimant or applicant, or the guardian, conservator, or attorney of the claimant or applicant, or any other person acting on behalf of the claimant or applicant.

This bill would ~~make a technical, nonsubstantive change in these provisions~~ *provide that a certified copy of veteran's records shall be made available only to the person who is the subject of the record upon presentation of proper photo identification, to a spouse, child, or legal representative of the person who is the subject of the record upon presentation of proper photo identification and certification of their relationship to the subject of the record, or to a county office that*

provides veteran's benefits services or a United States official upon written request.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6107 of the Government Code is
2 amended to read:

3 6107. (a) No public entity, including the state, a county, city,
4 or other political subdivision, nor any officer or employee thereof,
5 including notaries public, shall demand or receive any fee or
6 compensation for doing any of the following:

7 (1) Recording, indexing, or issuing certified copies of any
8 discharge, certificate of service, certificate of satisfactory service,
9 notice of separation, or report of separation of any member of the
10 armed forces of the United States.

11 (2) Furnishing a certified copy of, or searching for, any public
12 record that is to be used in an application or claim for a pension,
13 allotment, allowance, compensation, insurance (including
14 automatic insurance), or any other benefits under any act of
15 Congress for service in the armed forces of the United States or
16 under any law of this state relating to veterans' benefits.

17 (3) Furnishing a certified copy of, or searching for, any public
18 record that is required by the Veterans Administration to be used
19 in determining the eligibility of any person to participate in
20 benefits made available by the Veterans Administration.

21 (4) Rendering any other service in connection with an
22 application or claim referred to in paragraph (2) or (3).

23 ~~(b) The services referred to in subdivision (a) shall be rendered~~
24 ~~upon the request of a United States official, the claimant or~~
25 ~~applicant, or the guardian, conservator, or attorney of the claimant~~
26 ~~or applicant, or any other person acting on behalf of the claimant~~
27 ~~or applicant.~~

28 (b) A certified copy of any record referred to in subdivision (a)
29 may be made available only to one of the following:

30 (1) The person who is the subject of the record upon
31 presentation of proper photo identification.

32 (2) A spouse, child, or legal representative of the person who
33 is the subject of the record upon presentation of proper photo

1 *identification and certification of their relationship to the subject*
2 *of the record.*

3 (3) *A county office that provides veteran's benefits services*
4 *upon written request of that office.*

5 (4) *A United States official upon written request of that official.*

6 A public officer or employee is liable on his or her official bond
7 for failure or refusal to render the services.

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